

Case Name: 23-cv-04729 (ENV)(PK) Case Number: 23 CV - 4729 (ENV) (PK)**PROPOSED DISCOVERY PLAN/SCHEDULING ORDER**

| | DONE | NOT APPLICABLE | DATE |
|--|------|-------------------|--|
| A. ACTIONS REQUIRED <i>BEFORE</i> THE INITIAL CONFERENCE | | | |
| 1. Rule 26(f) Conference held | X | | 10/06/2023 |
| 2. Rule 26(a)(1) disclosures exchanged | X | | 10/6/2023 |
| 3. Requested: | | | |
| a. Medical records authorization | | | 12/13/2023 |
| b. Section 160.50 releases for arrest records | | ✓ | |
| c. Identification of John Doe/Jane Doe defendants | | X | |
| 4. Procedures for producing Electronically Stored Information (ESI) discussed | | | 10/26/2023 |
| 5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website) | | X | |
| B. SETTLEMENT PLAN | | | |
| 1. Plaintiff to make settlement demand | | | 01/11/2024 |
| 2. Defendant to make settlement offer | | | 02/12/2024 |
| 3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed) | | | |
| 4. Settlement Conference (proposed date) | | | 2/29/2024 ex parte settlement statements due 2/21/2024 |
| C. PROPOSED DEADLINES | | | |
| 1. Motion to join new parties or amend pleadings | | | 04/09/2024 |
| 2. Initial documents requests and interrogatories | | | 11/13/2023 |
| 3. All fact discovery to be completed (including disclosure of medical records) | | | 04/09/2024 |
| 4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed | | | 04/16/2024 |

| | | | |
|--|-------------|--|--|
| 5. Expert discovery (only if needed) | | <i>Check here if not applicable</i> <input type="checkbox"/> | |
| Plaintiff expert proposed field(s) of expertise: | | | |
| Defendant expert proposed field(s) of expertise: | | | |
| | DONE | NOT APPLICABLE | DATE |
| a. Affirmative expert reports due | | | 05/16/2024 |
| b. Rebuttal expert reports due | | | 06/16/2024 |
| c. Depositions of experts to be completed | | | 08/16/2024 |
| 6. Completion of ALL DISCOVERY (if different from C.3) | | | 09/16/2024 |
| 7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated | | | 10/16/2024 |
| 8. If any party seeks a dispositive motion , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion | | | |
| 9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed) | | | |
| D. CONSENT TO MAGISTRATE JUDGE JURISDICTION | | | |
| 1. All parties consent to Magistrate Judge jurisdiction for dispositive motion? | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. All parties consent to Magistrate Judge jurisdiction for trial? | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY | | | |
| 1. Motion for collective action certification in FLSA cases | | | |
| a. Response due | | | |
| b. Reply due | | | |
| 2. Motion for Rule 23 class certification | | | TBD |
| a. Response due | | | |
| b. Reply due | | | |

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

Peggy Kuo
PEGGY KUO
 United States Magistrate Judge

October 12, 2023

Date